

Nathan Ochsner, Clerk

CASE NO. 09-35324

Adv. Pro. No. 21-03458

On December 7, 2021, this Court considered the *Motion to Dismiss Adversary Proceeding Complaint* [Doc. No. 16] and *Motion to Dismiss Plaintiff's Second Amended Complaint* [Doc. No. 27] filed by the Texas General Land Office and George P. Bush, in his official capacity as Commissioner of the Texas General Land Office (collectively, the “GLO”); the *Motion to Dismiss/Abstain* [Doc. No. 18] and the *Motion to Dismiss/Strike Second Amended Complaint or, Alternatively, to Abstain* [Doc. No. 28] (collectively with Doc Nos. 16, 18 and 27, the “Motions to Dismiss”) filed by the Galveston Park Board of Trustees and the City of Galveston, Texas

(collectively with the GLO, the “Defendants”) and the responses related to the Motions to Dismiss [Doc. Nos. 23, 24, 35, and 47] filed by plaintiff Sonya Porretto (the “Plaintiff”); and the *Motion for Leave to Amend Complaint* [Doc. Nos. 38 and 39] (the “Motion for Leave”) filed by the Plaintiff and the objections to the Motion to Leave [Doc Nos. 42 and 44] filed by the Defendants. After due deliberation, and consideration of these motions, all documents filed in the record, objections/responses filed to the motions, related briefing, and the representations made on the record at the hearing and during this adversary proceeding, the Court, on its own motion, has determined that good cause and a sufficient basis exist to transfer this adversary proceeding to the United States District Court for the Southern District of Texas, Galveston Division.

ACCORDINGLY, IT IS HEREBY ORDERED AS FOLLOWS:

1. Adversary Proceeding Number 21-03458 is hereby **TRANSFERRED** to the United States District Court for the Southern District of Texas, Galveston Division (the “District Court”).
2. The *Emergency Motion for Protective Order and to Quash Subpoenas Directed to Certain Public Officials Filed by City of Galveston, and The City of Galveston Park Board of Trustees* [Doc. No. 41] was withdrawn without prejudice.
3. All other pending motions shall remain pending for decision by the District Court and the rights of the parties are hereby reserved.

Signed: December 21, 2021.



DAVID R. JONES
UNITED STATES BANKRUPTCY JUDGE

Agreed as to Form:

<p>By: <u>/s/ Barry Abrams</u> Barry Abrams Attorney-in-Charge State Bar No. 00822700 SD Tex. Bar No. 2138 Neil F. Young State Bar No. 24121218 SD Tex. Bar No. 3635269 BLANK ROME LLP 717 Texas Avenue, Suite 1400 Houston, Texas 77002 (713) 228-6601 (713) 228-6605 (fax) barry.abrams@blankrome.com neil.young@blankrome.com ATTORNEYS FOR DEFENDANTS THE GALVESTON PARK BOARD OF TRUSTEES AND CITY OF GALVESTON</p>	<p>KEN PAXTON Attorney General of Texas</p> <p>BRENT WEBSTER First Assistant Attorney General</p> <p>GRANT DORFMAN Deputy First Assistant Attorney General</p> <p>SHAWN E. COWLES Deputy Attorney General for Civil Litigation</p> <p>RACHEL R. OBALDO Assistant Attorney General Chief, Bankruptcy & Collections Division</p> <p><u>/s/ Autumn D. Highsmith</u> JASON B. BINFORD Texas State Bar No. 24045499 Southern Dist. Bar No. 574720 AUTUMN D. HIGHSMITH Texas State Bar No. 24048806 Southern Dist. Bar No. 597383 Office of the Attorney General of Texas Bankruptcy & Collections Division P. O. Box 12548 MC008 Austin, Texas 78711-2548 Telephone: (512) 463-2173 Facsimile: (512) 936-1409 jason.binford@oag.texas.gov</p>
<p><u>/s/ Deirdre Carey Brown</u> Deirdre Carey Brown, pllc State Bar No. 24049116 FORSHEY & PROSTOK LLP 1990 Post Oak Blvd, Suite 2400 Houston, TX 77056 Telephone: (832) 536-6910 Facsimile: (832) 310-1172 dbrown@forsheyprostock.com ATTORNEY FOR SONYA PORRETTO</p>	<p>ATTORNEYS FOR THE GENERAL LAND OFFICE AND GEORGE P. BUSH IN HIS OFFICIAL CAPACITY AS COMMISSIONER OF THE GENERAL LAND OFFICE</p>